

REMARKS

The present communication is responsive to the Official Action mailed May 14, 2010, rejecting all of the claims pending in the application ("Office Action"). Claims 1, 9-19 and 20 have been amended. Claims 1-30 remain pending in this application.

Claims 1-30 are rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 7,133,387 ("Nakada") in view of U.S. Patent Publication No. 2001/0046266 ("Rakib") and further in view of U.S. Patent Publication No. 2003/0112776 ("Brown").

Amended independent claim 1 now recites:

an information transmission source communication apparatus for forming a data packet by inserting a preamble signal into each transmission data and transmitting the formed data packet to a receiving destination communication apparatus over a transmission path, the receiving destination communication apparatus being one of the communication apparatuses that are located within the communication area of the transmission source communication apparatus,

wherein a preamble signal is inserted in each transmission packet transmitted between the transmission source communication apparatus and the receiving destination communication apparatus so as to be integral with each transmission data, wherein said transmission packet being at least one of a beacon signal, a data packet, an acknowledgment packet, a negative acknowledgment packet, a transmission request packet, and a confirmation notice packet,

wherein said transmission packet contains error detection information for header information in said transmission packet, wherein said beacon signal and data packet contain error detection information for payload information in respective beacon signal and data packet; and

at least one of the plurality of communication apparatuses not currently communicating for recognizing that the transmission path is used for a predetermined interval by the transmission source communication apparatus and the receiving destination communication apparatus from a time when a preamble signal from a transmission packet is detected.

(Emphasis added).

The other independent claims 9 and 20 are amended in a similar way. The above-identified features are believed to be described, for example, in FIGS. 3-13, and paragraphs [0066]-[0121] of the specification.

It is respectfully submitted that neither Nakada, Rakib nor Brown, alone or in combination as applied by the Examiner, teaches the above emphasized features. For example, the Examiner admitted in the Office Action that Nakada fails to disclose "a preamble signal inserted in transmission packet so as to be integral with each transmission data" and used Rakib to cure the admitted deficiency. (Office Action, page 3). However, the sections in Rakib identified by the Examiner do not teach inserting preamble in each transmission packet transmitted between the source communication apparatus and the destination communication apparatus. Instead, these sections teach only inserting preamble data into the RU (remote unit) timeslot's data for use by the CU (central unit) receiver. These sections do not mention inserting preamble data in the data transmitted from the CU to the RU. While in amended claim 1, the preamble data is inserted into every transmission packet transmitted between a source communication apparatus and a destination communication apparatus.

For at least the reasons described above, it is respectfully submitted that the independent claims 1, 9 and 20,

as well as claims that depend from them, are distinguishable over Nakada, Rakib and Brown, and therefore the 103 rejection on these claims should be withdrawn.

As it is believed that all of the rejections set forth in the Office Action have been overcome, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: July 12, 2010

Respectfully submitted,
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Amendment per client June 29 letter per FOA 5-14-10.doc